

SJM 8039 - S AMD 38

By Senator Benson

NOT ADOPTED 2/8/2006

1 On page 1, beginning with "WHEREAS" on line 8, strike all material
2 through "medications." on page 3, line 14, and insert the following:

3 "WHEREAS, Beginning January 1, 2006, 831,000 Medicare enrollees in
4 Washington state were among the 43 million Americans provided
5 prescription drug coverage through the Medicare Part D program, giving
6 many, for the first time, access to prescription drugs that they had
7 previously struggled to afford; and

8 WHEREAS, Medicare beneficiaries now have numerous choices for
9 prescription drug coverage, allowing them to pick the plan which best
10 suits their personal circumstances, but for which they need sufficient
11 time and information to understand and select; and

12 WHEREAS, Problems and administrative delays when initiating a
13 nationwide assistance program of this magnitude are extremely
14 unfortunate, but inevitable; and

15 WHEREAS, It is essential to be particularly attentive to the impact
16 of this program on "dual eligibles," the approximately 96,000 low-
17 income residents of Washington who will now receive prescription drug
18 coverage under Medicare rather than Medicaid; and

19 WHEREAS, In the transition to this new program, where dual
20 eligibles are particularly vulnerable in the face of technological
21 glitches and poor communication that could delay their access to needed
22 medications, we should insist that as much as possible be done to avoid
23 these problems and that they be addressed immediately when they occur;
24 and

25 WHEREAS, Even for someone correctly transitioned, there is concern
26 that the particular drugs the person needs will not be covered by Part
27 D, or that newly required co-pays will prove unaffordable; and

28 WHEREAS, The federal government has been working diligently to
29 address these transition issues, including a \$14 million credit which
30 will allow this state to cover any unaffordable co-pays, and the
31 development of a waiver program to assist states with other
32 unanticipated costs, but will benefit from continued input and

1 information from the states regarding particular steps which might be
2 taken to reach the full promise of the Medicare Part D program;

3 NOW, THEREFORE, Your Memorialists respectfully pray that the
4 Congress and the Administration address concerns with the Medicare Part
5 D program through rule making and, as necessary, through changes to the
6 Medicare Modernization Act, by specifically doing the following:

7 (1) Upgrading the Centers for Medicare and Medicaid's customer
8 service system to assist clients seeking information;

9 (2) Extending the enrollment period beyond the May 15, 2006,
10 deadline;

11 (3) Requiring all health plans that contract with the Centers for
12 Medicare and Medicaid Services to provide uniform transition policies
13 that provide a 30-day supply of needed drugs;

14 (4) Reimbursing states and pharmacists who have assumed the costs
15 for covering individuals who have had transition problems; and

16 (5) Repealing the prohibition on the use of Medicaid funds to
17 provide: Wraparound Medicare prescription drug benefits for the
18 transition of dual eligibles; copayments for dual eligibles and
19 low-income beneficiaries; and needed coverage if a particular plan's
20 restricted formulary or network denies access to the most medically
21 appropriate medications."

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